

CLOSED,NPROSE

**U.S. District Court
Eastern District of New York (Central Islip)
CIVIL DOCKET FOR CASE #: 2:09-cv-03344-JFB-WDW**

Roman v. CIA
Assigned to: Judge Joseph F. Bianco
Referred to: Magistrate Judge William D. Wall
Cause: 05:552 Freedom of Information Act

Date Filed: 07/28/2009
Date Terminated: 02/23/2012
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: Federal Question

Plaintiff**Gilbert Roman**

represented by **Gilbert Roman**
PO Box 170109
Ozone Park, NY 11417
516-458-9105
PRO SE

V.

Defendant**CIA**

represented by **Robert B. Kambic**
United States Attorneys Office
Eastern District of New York
610 Federal Plaza
Central Islip, NY 11722-4454
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/28/2009	<u>1</u>	COMPLAINT (<i>Receipt# NYEC000773</i>) against CIA Disclosure Statement on Civil Cover Sheet completed –No., filed by Gilbert Roman. (Attachments: # <u>1</u> Civil Cover Sheet) (McMahon, Carol) (Entered: 08/06/2009)
07/28/2009		Summons Issued as to CIA, U.S. Attorney and U.S. Attorney General (McMahon, Carol) (Entered: 08/06/2009)
08/06/2009	<u>2</u>	Notice of Related Case (McMahon, Carol) (Entered: 08/06/2009)
08/07/2009	<u>3</u>	Letter from Catherine Vukovich, Pro Se Paralegal to Gilbert Roman, dated 8/7/09 re: To advise plttf that the Court acknowledges receipt of his Civil Complaint; and that the case has been docketed under the above number and assigned to the Honorable Joseph F. Bianco. (Fagan, Linda) (Entered: 08/07/2009)
08/07/2009	<u>4</u>	Letter from Catherine Vukovich, Pro Se Paralegal to Gilbert Roman, dated 8/7/09 re: To advise plttf that purs. to Rule 4 of the F.R.C.P., he is responsible to serve the summons and complaint upon each of the defts in this action or, in the alternative, use the for waiver of service summons; and to advise plttf that he has 120 days from the date he filed his complaint to complete service of the summons and complaint and to file the proof of service with this Court. (Fagan, Linda) (Entered: 08/07/2009)
08/07/2009	<u>5</u>	AFFIRMATION of service by Gilbert Roman of summons and complaint return receipt requested on 8/6/09 on Delores M. Nelson and Process Clerks Office US Atty's Office (Bollbach, Jean) (Entered: 08/11/2009)
08/10/2009		Case Ineligible for Arbitration (Bollbach, Jean) (Entered: 08/10/2009)

08/21/2009	<u>6</u>	ORDER CONSOLIDATING CASE: the Court sua sponte orders the clerk to consolidate actions 09-cv-3344, 09-cv-2947 and 09-cv-2504 under the first filed docket number 09-cv-2504. The clerk is directed to close 09-cv-3344 and 09-cv-2947 and direct any further filings in those cases to 09-cv-2504. Ordered by Judge Joseph F. Bianco on 8/21/2009. Created case association. (Bollbach, Jean) (Entered: 08/26/2009) (Entered: 08/26/2009)
09/01/2009		Case Reopened – cases no longer consolidated (Bollbach, Jean) (Entered: 09/02/2009)
09/01/2009	<u>7</u>	ORDERED that order dtd. 8/21/09 is vacated and cases are no longer consolidated.. Ordered by Judge Joseph F. Bianco on 9/1/2009. (Bollbach, Jean) (Entered: 09/02/2009)
10/15/2009	<u>8</u>	Consent MOTION for Extension of Time to File Answer , <i>Move or Otherwise Respond to Complaint</i> by CIA. (Kambic, Robert) (Entered: 10/15/2009)
10/16/2009		ELECTRONIC ORDER granting <u>8</u> Motion for Extension of Time to Answer. CIA answer or other response due 11/13/2009. Defendant is directed serve a copy of this electronic order on plaintiff. Ordered by Magistrate Judge William D. Wall on 10/16/2009. (Disbrow, Sandra) (Entered: 10/16/2009)
10/23/2009	<u>9</u>	AFFIDAVIT/AFFIRMATION of service of summons and complaint on Eric Holder on 10/19/09 and Atty General on 10/20/09 by Gilbert Roman (Bollbach, Jean) (Entered: 10/27/2009)
11/12/2009	<u>10</u>	Consent MOTION for Extension of Time to File Answer , <i>Move or Otherwise Respond to Complaint</i> by CIA. (Kambic, Robert) (Entered: 11/12/2009)
11/13/2009		ORDER granting <u>10</u> Motion for Extension of Time to Answer CIA answer due 12/15/2009.. Ordered by Magistrate Judge William D. Wall on 11/13/2009. (Hepworth, F.) (Entered: 11/13/2009)
12/15/2009	<u>11</u>	Consent MOTION for Extension of Time to File Answer , <i>Move or Otherwise Respond to Complaint</i> by CIA. (Kambic, Robert) (Entered: 12/15/2009)
12/16/2009		ORDER granting <u>11</u> Motion for Extension of Time to Answer CIA answer due 12/18/2009. Ordered by Magistrate Judge William D. Wall on 12/16/2009. (Hepworth, F.) (Entered: 12/16/2009)
12/18/2009	<u>12</u>	Letter to the Honorable Joseph F. Bianco from Robert B. Kambic, AUSA, Regarding a Request for a Pre-motion Conference or, in the alternative, that the Court Set a Briefing Schedule for Defendant's Summary Judgment Motion by CIA (Kambic, Robert) (Entered: 12/18/2009)
12/21/2009	<u>13</u>	Letter dtd. 12/19/09 from plaintiff RE: be advised that the CIA dis not release the forms I needed (Bollbach, Jean) (Entered: 12/22/2009)
12/22/2009	<u>14</u>	ORDER – It is hereby Ordered that the pre-motion conference requirement is waived. The parties shall adhere to the following briefing schedule for defendant's motion for summary judgment: Motion: 2/2/10; Opposition: 3/4/10; Reply: 3/18/10. Signed by Judge Joseph Bianco, on 12/22/09. C/M to pro se plaintiff. (Coleman, Laurie) (Entered: 12/29/2009)
01/15/2010	<u>15</u>	MOTION to Produce by Gilbert Roman. (Bollbach, Jean) (Entered: 01/25/2010)
01/28/2010	<u>16</u>	Consent MOTION for Extension of Time to File <i>Defendant's Motion for Summary Judgment and to Modified Court's Briefing Schedule</i> by CIA. (Kambic, Robert) (Entered: 01/28/2010)
02/01/2010	<u>17</u>	SCHEDULING ORDER: ordered that the following revised briefing schedule shall apply to defts motion for summary judgment: Motions due by 2/10/2010 opposition by 3/12/10; reply by 3/26/10. Ordered by Judge Joseph F. Bianco on 2/1/10. (Bollbach, Jean)cm CM RRR 7005 1820 0004 0293 1039 (Entered: 02/02/2010)
02/09/2010	<u>18</u>	Consent MOTION for Extension of Time to File <i>Defendant's Motion for Summary Judgment and to Modified Court's Briefing Schedule</i> by CIA. (Kambic, Robert) (Entered: 02/09/2010)

02/09/2010		ORDER granting <u>18</u> Motion for Extension of Time to File. IT IS HEREBY ORDERED that defendant's motion is granted. SO ORDERED. Ordered by Judge Joseph F. Bianco on 2/9/2010. (Weisgerber, Erica) (Entered: 02/09/2010)
02/11/2010	<u>19</u>	ORDERED that the following rvised briefing schedule shall apply to defts motion for summary judgment: motion 3/3/10; opposition 4/2/10; reply 4/16/10. Ordered by Judge Joseph F. Bianco on 2/11/2010. (Bollbach, Jean)cm CM RRR #7005 1820 0004 0293 0995 (Entered: 02/17/2010)
02/25/2010	<u>20</u>	Mail receipt CM RRR 7005 1820 0004 0293 0995 signed – stamped 2/22/10 (Bollbach, Jean) (Entered: 02/25/2010)
03/03/2010	<u>21</u>	Letter MOTION for Extension of Time to File <i>Defendant's Motion for Summary Judgment and to Modified Court's Briefing Schedule</i> by CIA. (Kambic, Robert) (Entered: 03/03/2010)
03/04/2010	<u>22</u>	REPLY in Support re <u>21</u> Letter MOTION for Extension of Time to File <i>Defendant's Motion for Summary Judgment and to Modified Court's Briefing Schedule Regarding Notification of Plaintiff's Consent to Extension Motion</i> filed by CIA. (Kambic, Robert) (Entered: 03/04/2010)
03/04/2010	<u>23</u>	ORDER granting <u>16</u> Motion for Extension of Time to File; granting <u>21</u> Motion for Extension of Time to File – ORDERED that the following schedule shall apply to defts motion for summary judgment: Motion 3/5/10; opposition 4/6/10; reply 4/20/10. Ordered by Judge Joseph F. Bianco on 3/4/2010. (Bollbach, Jean)copy mailed by chambers (Entered: 03/04/2010)
03/05/2010	<u>24</u>	Notice of MOTION for Summary Judgment <i>with Certificate of Service</i> by CIA. Responses due by 4/6/2010 (Kambic, Robert) (Entered: 03/05/2010)
03/05/2010	<u>25</u>	RULE 56.1 STATEMENT re <u>24</u> Notice of MOTION for Summary Judgment <i>with Certificate of Service -- Defendant's Statement of Undisputed Facts Pursuant to Local Civil Rule 56.1</i> filed by CIA. (Kambic, Robert) (Entered: 03/05/2010)
03/05/2010	<u>26</u>	MEMORANDUM in Support re <u>24</u> Notice of MOTION for Summary Judgment <i>with Certificate of Service -- Memorandum of Law in Support of Defendant's Motion for Summary Judgment</i> filed by CIA. (Kambic, Robert) (Entered: 03/05/2010)
03/05/2010	<u>27</u>	AFFIDAVIT/DECLARATION in Support re <u>24</u> Notice of MOTION for Summary Judgment <i>with Certificate of Service Declaration of Delores M. Nelson, Information and Privacy Coordinator, Central Intelligence Agency with Exhibits A through K attached thereto</i> filed by CIA. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D) (Kambic, Robert) (Entered: 03/05/2010)
03/05/2010	<u>28</u>	NOTICE by CIA re <u>24</u> Notice of MOTION for Summary Judgment <i>with Certificate of Service Notice to Pro Se Litigants Opposing Motion for Summary Judgment</i> (Attachments: # <u>1</u> Fed. R. Civ. P. 56) (Kambic, Robert) (Entered: 03/05/2010)
03/08/2010	<u>29</u>	AFFIDAVIT/DECLARATION in Support re <u>24</u> Notice of MOTION for Summary Judgment <i>with Certificate of Service Exhibits E through K to Declaration of Delores M. Nelson, docket entry no. 27</i> filed by CIA. (Kambic, Robert) (Entered: 03/08/2010)
03/24/2010	<u>30</u>	NOTICE of filing new evidence (address also updated) (Bollbach, Jean) (Entered: 03/25/2010)
03/24/2010	<u>31</u>	DECLARATION of Gilbert Roman filed by Gilbert Roman (Bollbach, Jean) (Entered: 03/25/2010)
04/20/2010	<u>32</u>	Consent MOTION for Extension of Time to File Response/Reply <i>in Support of Defendant's Motion for Summary Judgment</i> by CIA. (Kambic, Robert) (Entered: 04/20/2010)
04/21/2010		ORDER granting <u>32</u> Motion for Extension of Time to File Response/Reply. IT IS HEREBY ORDERED that defendant's reply brief shall be due April 30, 2010. SO ORDERED. Ordered by Judge Joseph F. Bianco on 4/21/2010. (Weisgerber, Erica) (Entered: 04/21/2010)

04/30/2010	<u>33</u>	REPLY in Support re <u>28</u> Notice(Other) of Motion for Summary Judgment (<i>Reply in Further Support of CIA's Motion for Summary Judgment</i>) filed by CIA. (Kambic, Robert) (Entered: 04/30/2010)
08/13/2010	<u>34</u>	Mail receipt sent: #7005 1820 0004 0293 1039 document #17 mailed but no return receipt returned (Bollbach, Jean) (Entered: 08/13/2010)
09/02/2010		ORDER terminating <u>15</u> Motion to Produce. This document was incorrectly docketed as a motion. Instead, the Court construes this as plaintiff's opposition to defendant's motion for summary judgment. SO ORDERED. Ordered by Judge Joseph F. Bianco on 9/2/2010. (Weisgerber, Erica) (Entered: 09/02/2010)
09/07/2010	<u>35</u>	Letter dtd. 9/4/10 from plaintiff to court RE: illegal activities are going on in out intelligence community. (Bollbach, Jean) (Entered: 09/09/2010)
12/22/2010	<u>36</u>	ORDER, (Telephone Conference set for 1/4/2011 01:00 PM in Courtroom 920 before Judge Joseph F. Bianco. Defts to initiate the call). Ordered by Judge Joseph F. Bianco on 12/22/2010. (Bollbach, Jean)copy mailed by chambers (Entered: 12/22/2010)
01/03/2011	<u>37</u>	Consent MOTION to Adjourn Conference (<i>Telephone</i>) Scheduled for January 4, 2011 at 1 pm by CIA. (Kambic, Robert) (Entered: 01/03/2011)
01/04/2011	<u>38</u>	ORDER granting <u>36</u> Motion to Adjourn Conference. New telephone conf. date is 1/12/11 at 1:00. COounsel for defts shall initiate the call.. Ordered by Judge Joseph F. Bianco on 1/4/2011. (Bollbach, Jean)copy mailed by chambers (Entered: 01/06/2011)
01/11/2011	<u>39</u>	ORDER, (Telephone Conference reset for 1/19/2011 01:00 PM in Courtroom 920 defts to initiate the call before Judge Joseph F. Bianco.). Ordered by Judge Joseph F. Bianco on 1/11/2011. (Bollbach, Jean)copy mailed by chambers (Entered: 01/18/2011)
01/19/2011	<u>40</u>	Minute Entry for proceedings held before Judge Joseph F. Bianco:Telephone pre motion Conference held on 1/19/2011 Motion to be filed by 3/18/11; response by 5/20/11; reply 6/6/11. Govt ordered to file supplemental affidavits and file renewed motion for summary judgment by 3/18/11 (Court Reporter ftr 1:16 – 1:28.) (Bollbach, Jean) Modified on 1/19/2011 (Bollbach, Jean). (Entered: 01/19/2011)
01/25/2011	<u>41</u>	ORDER terminating as moot <u>31</u> Motion for Summary Judgment. Renewed motions for summary judgment shall be filed by 3/18/11; plaintiffs response to those motions shall be due by 5/20/11 and defts reply due by 6/6/11.. Ordered by Judge Joseph F. Bianco on 1/25/2011. (Bollbach, Jean)copy mailed by chambers (Entered: 01/26/2011)
03/16/2011	<u>42</u>	Consent MOTION for Extension of Time to File <i>Defendant's Dispositive Motion and to Modfied Court's January 25, 2011 Briefing Schedule</i> by CIA. (Kambic, Robert) (Entered: 03/16/2011)
03/18/2011	<u>43</u>	ORDER granting <u>50</u> Motion for Extension of Time to File. The court so orders modifications to the briefing schedule as set forth in defts letter.. Ordered by Judge Joseph F. Bianco on 3/18/2011. (Bollbach, Jean) (Entered: 03/23/2011)
04/06/2011	<u>44</u>	Consent MOTION for Extension of Time to File <i>Defendant's Dispositive Motion and to Modfied Court's March 18, 2011</i> by CIA. (Kambic, Robert) (Entered: 04/06/2011)
04/11/2011	<u>45</u>	ORDER granting <u>44</u> Motion for Extension of Time to File. It is hereby ordered that defendants' extenstion request is granted and the Court "so orders" the revised briefing schedule set forth in defendants' 4/6/2011 letter. Ordered by Judge Joseph F. Bianco on 4/11/2011. (Padilla, Kristin) (Entered: 04/14/2011)
04/26/2011	<u>46</u>	Consent MOTION for Extension of Time to File <i>Defendant's Dispositive Motion and to Modfied Court's April 11, 2011 Briefing Schedule</i> by CIA. (Kambic, Robert) (Entered: 04/26/2011)
04/27/2011	<u>47</u>	ORDERED that defts request is granted and the court adopts the revised briefing schedule set forth in defts' April 26, 2011 letter. Ordered by Judge Joseph F. Bianco on 4/27/2011. (Bollbach, Jean)copy mailed by chambers (Entered: 04/27/2011)

		04/28/2011)
05/16/2011	<u>48</u>	Consent MOTION for Extension of Time to File <i>Defendant's Dispositive Motion and to Modified Court's April 27, 2011 Briefing Schedule</i> by CIA. (Kambic, Robert) (Entered: 05/16/2011)
05/17/2011	<u>49</u>	Notice of Related Case. (Russo, Eric) (Entered: 05/18/2011)
05/17/2011	<u>50</u>	ORDER granting <u>48</u> Motion for Extension of Time to File. Ordered by Judge Joseph F. Bianco on 5/17/2011. It is hereby ordered that defendants' extension request is granted and the Court "so orders" the revised briefing schedule set forth in defendants' May 16, 2011 letter. (Rios, Laura) (Entered: 05/18/2011)
06/07/2011	<u>51</u>	Consent MOTION for Extension of Time to File <i>Defendant's Dispositive Motion and to Modified Court's May 17, 2011 Briefing Schedule</i> by CIA. (Kambic, Robert) (Entered: 06/07/2011)
06/09/2011	<u>52</u>	ORDER granting <u>51</u> Motion for Extension of Time to File. IT IS HEREBY ORDERED that defts' extension request is granted and the Court "so orders" the revised briefing schedule set forth in defts' June 6, 2011 letter. Copy mailed to Pro Se Plaintiff by chambers. Ordered by Judge Joseph F. Bianco on 6/9/2011. (Glueckert, Lisa) (Entered: 06/10/2011)
06/29/2011	<u>53</u>	Consent MOTION for Extension of Time to File <i>Defendant's Dispositive Motion and to Modified Court's June 9, 2011 Briefing Schedule</i> by CIA. (Kambic, Robert) (Entered: 06/29/2011)
07/01/2011	<u>54</u>	ORDER granting <u>53</u> Motion for Extension of Time to File. IT IS HEREBY ORDERED that defts' extension request is granted and the Court "so orders" the revised briefing schedule set forth in defendants' June 29, 2011 letter. Copies mailed by Chambers. Ordered by Judge Joseph F. Bianco on 7/1/2011. (Glueckert, Lisa) (Entered: 07/05/2011)
07/18/2011	<u>55</u>	Notice of MOTION for Summary Judgment <i>with Certificate of Service</i> by CIA. (Attachments: # <u>1</u> Notice to Pro Se Litigants Opposing Motion for Summary Judgment) (Kambic, Robert) (Entered: 07/18/2011)
07/18/2011	<u>56</u>	MEMORANDUM in Support re <u>55</u> Notice of MOTION for Summary Judgment <i>with Certificate of Service -- Memorandum of Law in Support of Defendant's Motion for Summary Judgment</i> filed by CIA. (Kambic, Robert) (Entered: 07/18/2011)
07/18/2011	<u>57</u>	RULE 56.1 STATEMENT re <u>55</u> Notice of MOTION for Summary Judgment <i>with Certificate of Service -- Defendant's Statement of Undisputed Facts Pursuant to Local Civil Rule 56.1</i> filed by CIA. (Kambic, Robert) (Entered: 07/18/2011)
07/18/2011	<u>58</u>	AFFIDAVIT/DECLARATION in Support re <u>55</u> Notice of MOTION for Summary Judgment <i>with Certificate of Service Declaration of Delores M. Nelson, with Exhibits A through D attached hereto and Exhibits E through K to follow in next docket entry</i> filed by CIA. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D) (Kambic, Robert) (Entered: 07/18/2011)
07/18/2011	<u>59</u>	AFFIDAVIT/DECLARATION in Support re <u>55</u> Notice of MOTION for Summary Judgment <i>with Certificate of Service Exhibits E through K to Declaration of Delores M. Nelson, docket entry no. 58</i> filed by CIA. (Kambic, Robert) (Entered: 07/18/2011)
07/18/2011	<u>60</u>	AFFIDAVIT/DECLARATION in Support re <u>55</u> Notice of MOTION for Summary Judgment <i>with Certificate of Service -- Declaration of Susan Viscuso in Support of CIA's Summary Judgment Motion</i> filed by CIA. (Kambic, Robert) (Entered: 07/18/2011)
07/18/2011	<u>61</u>	Consent MOTION for Extension of Time to File <i>Defendant's Dispositive Motion and to Modify Court's July 1, 2011 Briefing Schedule</i> by CIA. (Kambic, Robert) (Entered: 07/18/2011)
07/19/2011	<u>62</u>	ORDER terminating <u>46</u> Motion for Extension of Time to File; granting <u>61</u> Motion for Extension of Time to File. The court so orders the revised briefing schedule set forth in defts 7/18/11 letter. Ordered by Judge Joseph F. Bianco on 7/19/2011.

		(Bollbach, Jean)copy mailed by chambers (Entered: 07/21/2011)
08/04/2011	<u>63</u>	Letter dtd. 8/2/11 from plaintiff to Court RE: letter to court with clarification (Bollbach, Jean) (Entered: 08/10/2011)
08/12/2011	<u>64</u>	Consent MOTION for Extension of Time to File <i>Defendant's Dispositive Motion and to Modify Court's July 19, 2011 Briefing Schedule</i> by CIA. (Kambic, Robert) (Entered: 08/12/2011)
08/16/2011		ORDER granting <u>64</u> Motion for Extension of Time to File. The Court has received defendants' letter dated August 12, 2011. IT IS HEREBY ORDERED that the Court "so orders" the revised briefing schedule proposed by defendants in the August 12 letter. SO ORDERED. Ordered by Judge Joseph F. Bianco on 8/16/2011. (Nagiel, Svetlana) (Entered: 08/16/2011)
11/09/2011	<u>65</u>	Consent MOTION for Extension of Time to File <i>Response in Support of Dispositive Motion</i> by CIA. (Kambic, Robert) (Entered: 11/09/2011)
11/10/2011	<u>66</u>	ORDER granting <u>64</u> Motion for Extension of Time to File: reply in each case shall be due 11/18/11. Ordered by Judge Joseph F. Bianco on 11/10/2011. ORDER granting <u>65</u> Motion for Extension of Time to File (Bollbach, Jean) (Entered: 11/10/2011)
11/18/2011	<u>67</u>	REPLY in Support re <u>55</u> Notice of MOTION for Summary Judgment <i>with Certificate of Service (Reply Letter in Further Support of CIA's Motion For Summary Judgment)</i> filed by CIA. (Kambic, Robert) (Entered: 11/18/2011)
12/08/2011	<u>68</u>	Notice of Related Case (McMahon, Carol) (Entered: 12/08/2011)
02/22/2012	<u>69</u>	ORDER granting <u>55</u> Motion for Summary Judgment. IT IS HEREBY ORDERED that, for the reasons set forth in the attached Memorandum and Order, defendants' motion for summary judgment is granted. Each defendant performed reasonable and adequate searches in full compliance with the Freedom of Information Act ("FOIA"), and, where a defendant withheld a document pursuant to a FOIA exemption, it did so properly. The Court has mailed a copy of the opinion to the plaintiff. SO ORDERED. Ordered by Judge Joseph F. Bianco on 2/22/2012. (Weber, Rebecca) (Entered: 02/22/2012)
02/23/2012	<u>70</u>	JUDGMENT: ordered and adjudged that plaintiff take nothing of debts; that debts are granted summary judgment; and case is hereby closed. (Bollbach, Jean) (Entered: 02/24/2012)